C.S. 2007

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IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

Writ Petition (T) No. 17 of 2007

In the matter of

Petitioner : (1) Spin Packaging Limited a company incorporated under the provisions of the Companies Act 1956 situated at Plot No. 61-62, Sector-C, Industrial Area, Sirgitti, Bilaspur 495004 (C.G.) through its Managing Director Ramavtar Agrawal S/o Late Jagmohandas Agrawal, Agrawal Bhawan, Vidya Nagar, Bilaspur (C.G.)

P.R. No. 728/07 Presented by Shri Neelabh Pathy dated 23/11/07

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(2) Ramavtar Agrawal S/o Late Jagmohan Das Agrawal resident of Agrawal Bhavan, Vidya Nagar, Bilaspur (C.G.) Managing Director Spin Packaging Limited

Versus

Respondents : (1) State Level Committee through Director Industries, L.I.C. Commercial Complex Nivesh Bhavan, Second Floor Pandri, Raipur

(2) State of Chhattisgarh through

(a) Secretary Department of Commercial Tax, D.K.S. Bhavan, Mantralaya, Raipur (C.G.)

(b) Secretary, Department of Commerce and Industries D.K.S. Bhavan, Mantralaya, Raipur (C.G.)

(3) Commissioner,
Commercial Tax
Vanijyik Kar Bhavan
Civil Lines, Raipur (C.G.)

Before : Hon'ble The Chief Justice and his companion Judges of the Hon'ble High Court of Judicature Chhattisgarh at Bilaspur.

(81)

HIGH COURT OF CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W.P. (T) No. 17 of 2007

Petitioners : Spin Packaging Limited and another

Versus

Respondents : State Level Committee and others

Present: Mr. Neelabh Dubey, counsel for the petitioners.
Mr. S.K. Mishra, Panel Lawyer for the State/ respondents No. 2 and 3.

ORDER

(Passed on 14th Day of February, 2007)

1. According to the learned counsel appearing for the petitioners, the petitioners have moved the Appellate Authority impugning the certificate dated 14-7-2005 (Annexure P-8) as well as the letter dated 24-2-2006 (Annexure P-9), which are pending consideration for the last eight months.

2. Learned counsel appearing for the petitioners seeks permission of this Court to withdraw this petition with liberty to pursue the appeal pending before Appellate Authority. He further submits that a direction be issued to the Appellate Authority for deciding the appeal within the stipulated time. It is ordered accordingly.

(82)

3. The Appellate Authority is directed to consider and decide the pending appeal within a period of eight weeks from the date of receipt of a copy of this order.

4. In the meantime, no coercive steps be taken till disposal of the appeal, pending before the Appellate Authority.

5. The writ petition is accordingly dismissed as withdrawn with the above stated liberty. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash